

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

**STATE OF MAINE
119TH LEGISLATURE**

SECOND REGULAR SESSION

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
NATURAL RESOURCES**

JULY 2000

Staff:

*Amy B. Holland, Legislative Analyst
Jon Clark, Senior Legislative Analyst*

*Office of Policy and Legal Analysis
13 State House Station
Augusta, ME 04333
(207)287-1670*

MEMBERS:

*Sen. Sharon Anglin Treat, Chair
Sen. John M. Nutting
Sen. James D. Libby*

*Rep. John L. Martin, Chair
Rep. Scott W. Cowger
Rep. Linda Rogers McKee
Rep. David M. Etnier
Rep. Joseph E. Clark
Rep. Robert W. Duplessie
Rep. Henry L. Joy
Rep. Robert A. Cameron
Rep. Robert A. Daigle
Rep. David L. Tobin*



Maine State Legislature
OFFICE OF POLICY AND LEGAL ANALYSIS

13 State House Station, Augusta, Maine 04333-0013
 Telephone: (207) 287-1670
 Fax: (207) 287-1275

ONE HUNDRED NINETEENTH LEGISLATURE
SECOND REGULAR SESSION

Summary Of Legislation Before The Joint Standing Committees
July 2000

We are pleased to provide this summary of bills that were considered by the Joint Standing and Select Committees of the Maine Legislature this past session. The document is a compilation of bill summaries which describe each bill and relevant amendments, as well as the final action taken. Also included are statistical summaries of bill activity this session for the Legislature and each of its joint standing and select committees.

The document is organized for convenient reference to information on bills considered by the committees. It is organized by committees and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet (www.state.me.us/legis/opla).

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

- CON RES XXX*..... Chapter # of Constitutional Resolution passed by both Houses
- CONF CMTE UNABLE TO AGREE*..... Committee of Conference unable to agree; bill died
- DIED BETWEEN BODIES*..... House & Senate disagree; bill died
- DIED IN CONCURRENCE*..... One body accepts ONTP report; the other indefinitely postpones the bill
- DIED ON ADJOURNMENT*..... Action incomplete when session ended; bill died
- EMERGENCY*..... Enacted law takes effect sooner than 90 days
- FAILED EMERGENCY ENACTMENT/FINAL PASSAGE*..... Emergency bill failed to get 2/3 vote
- FAILED ENACTMENT/FINAL PASSAGE*..... Bill failed to get majority vote
- FAILED MANDATE ENACTMENT*..... Bill imposing local mandate failed to get 2/3 vote
- NOT PROPERLY BEFORE THE BODY*..... Ruled out of order by the presiding officers; bill died
- INDEF PP*..... Bill Indefinitely Postponed
- ONTP*..... Ought Not To Pass report accepted
- OTP ND*..... Committee report Ought To Pass In New Draft
- OTP ND/NT*..... Committee report Ought To Pass In New Draft/New Title
- P&S XXX*..... Chapter # of enacted Private & Special Law
- PUBLIC XXX*..... Chapter # of enacted Public Law
- RESOLVE XXX*..... Chapter # of finally passed Resolve
- UNSIGNED*..... Bill held by Governor
- VETO SUSTAINED*..... Legislature failed to override Governor's Veto

Please note the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is August 11, 2000.

David E. Boulter, Director
 Offices Located in the State House, Rooms 101 & 107

3. To remove the provision of the committee amendment that would have repealed the requirement that a low-level radioactive waste disposal facility be owned by the State. Under this amendment, the State would not be required to own such a facility if the facility is developed at the site of a decommissioned nuclear power plant in the course of or as a result of the decommissioning process.

Enacted law summary

Public Law 1999, chapter 739 changes certain laws relating to the Maine Yankee Nuclear Facility. It provides that the State Nuclear Safety Inspector is permitted to monitor the removal or material from the site of a nuclear power facility, including taking radiological measurements; clarifies that a municipality must be notified if decommissioning waste is shipped to a recycling or other solid waste facility in the municipality; establishes a radiation dose standard for the site at which the decommissioning of a nuclear power plant has been completed; requires an evaluation of the cumulative risk posed by radiological and chemical contaminants that will remain at the site of a decommissioned nuclear power plant; requires the owner of a nuclear power plant or decommissioned nuclear power plant to comply with all applicable environmental laws and clarifies that the Department of Environmental Protection is authorized to require appropriate monitoring, sampling and other measures to assess and ensure compliance with applicable laws; requires the owner of a nuclear power plant or decommissioned nuclear power plant to provide information to the Department of Environmental Protection necessary for it to establish compliance with applicable laws; makes expressly clear that the bill may not be interpreted as legislative approval of any particular method of handling or disposing of radioactive material, including the method known as "rubblization"; clarifies that the Department of Environmental Protection may require use of liners at the site of a decommissioned nuclear power plant to allow the department to assess and ensure compliance with applicable requirements, including the radiation dose standards established by this law; and modifies a requirement of law that the State own a nuclear waste disposal facility by providing that the state is not required to own the facility if the facility is developed at the site of a decommissioned nuclear power plant in the course of or as a result of the decommissioning process.

See Public Law 1999, chapter 741.

Public Law 1999, chapter 739 was enacted as an emergency measure effective April 26, 2000.

LD 2509

An Act Regarding Discharges from Small Fish Hatcheries That Operated Prior to 1986

PUBLIC 720

Sponsor(s)
BRYANT
KILKELLY

Committee Report
OTP-AM

Amendments Adopted
H-1039

LD 2509 proposed to allow fish hatcheries existing prior to January 1, 1986 to continue discharges into Class A waters only until practical alternatives exist. The bill also proposed to exempt fish hatcheries existing prior to January 1, 1986 but not licensed from the Maine Revised Statutes, Title 38, section 413 until practical alternatives exist.

Committee Amendment "A" (H-1039) proposed to authorize discharges from fish hatcheries into Class A waters, Class GPA waters and waters having a drainage area of less than 10 square miles to continue until practical alternatives exist, as are discharges licensed prior to January 1, 1986, if the discharge was in

existence prior to January 1, 1986, the hatchery is licensed by the Department of Inland Fisheries and Wildlife and an application for a waste discharge license is accepted as complete for processing within 90 days of notification that a license is required. The amendment proposed to require the Department of Environmental Protection to notify a fish hatchery with an unlicensed discharge within 90 days of the effective date of the amendment or within 90 days of finding the unlicensed discharge that a waste discharge license is required.

Enacted law summary

Public Law 1999, chapter 720 authorizes discharges from fish hatcheries into Class A waters, Class GPA waters and waters having a drainage area of less than 10 square miles to continue until practical alternatives exist, as are discharges licensed prior to January 1, 1986, if the discharge was in existence prior to January 1, 1986, the hatchery is licensed by the Department of Inland Fisheries and Wildlife and an application for a waste discharge license is accepted as complete for processing within 90 days of notification that a license is required. The law requires the Department of Environmental Protection to notify a fish hatchery with an unlicensed discharge within 90 days of the effective date of this Act or within 90 days of finding the unlicensed discharge that a waste discharge license is required.

LD 2526 An Act to Establish Minimum Environmental Compliance Standards for Subsidized Employers ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NORBERT	ONTP MAJ	
KONTOS	OTP-AM MIN	

LD 2526 proposed to require an employer receiving economic development incentives to demonstrate that it was in full compliance with federal, state and local environmental laws in order to continue receiving public assistance.

Committee Amendment “A” (H-1066) proposed to prohibit a person convicted of a criminal violation of environmental laws from receiving, for one year, tax reimbursement for qualified business property under the Business and Equipment Reimbursement Program.

LD 2547 An Act to Implement the Recommendations of the Task Force to Study the Operation of and Support for the Board of Environmental Protection PUBLIC 784

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM MAJ	H-1027
	ONTP MIN	S-762 MICHAUD

LD 2547 proposed to implement the recommendations of the Task Force to Study the Operation of and Support for the Board of Environmental Protection. The bill proposed to allocate funds for an Executive Director of the Board of Environmental Protection position and to specify that the executive director directs the daily administrative and operational functions of the board and may be removed by majority vote of the